

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

17 CR 0045 (SJ) (RLM)

-against-

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

KENRICK BRATHWAITE

Defendant.

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A P P E A R A N C E S

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JOHNSON, Senior District Judge:

Presently before the Court is a Report and Recommendation (the “Report”) prepared by Chief Magistrate Judge Roanne L. Mann. Judge Mann issued the Report on March 27, 2018, and provided the parties with the requisite amount of time to file objections. None of the parties filed any objections to the Report. For the reasons stated herein, this Court affirms and adopts the Report in its entirety.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28 U.S.C. § 636(b)(1). Within 10 days of service of the recommendation, any party may file written objections to the magistrate's report. See id. Upon de novo review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. See id. The Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985). In addition, failure to file timely objections may waive the right to appeal this Court's order. See 28 U.S.C. § 636(b)(1); Small v. Sec'y of Health & Human Servs., 892 F.2d 15, 16 (2d Cir. 1989).

In this case, objections to Magistrate Judge Mann's recommendations were due on April 10, 2018. No objections to the Report were filed with this Court. Upon review of the recommendations, this Court adopts and affirms Magistrate Judge Mann's Report in its entirety. Defendant Brathwaite's motion to suppress his post-arrest statements and identifications relating to the photo array is denied without hearing.

SO ORDERED.

Dated: April 13, 2018
Brooklyn, NY

/s/
Sterling Johnson, Jr., U.S.D.J.